

LATHAM & WATKINS LLP  
Michele D. Johnson (Bar No. 198298)  
Kristin N. Murphy (Bar No. 268385)  
Jordan D. Cook (Bar No. 293394)  
650 Town Center Drive, 20th Floor Costa  
Mesa, CA 92626  
T: (714) 540-1235 / F: (714) 755-8290  
michele.johnson@lw.com  
kristin.murphy@lw.com  
jordan.cook@lw.com

Colleen C. Smith (Bar No. 231216) 12670  
High Bluff Drive  
San Diego, California 92130  
T: (858) 523-5400 / F: (858) 523-5450  
colleen.smith@lw.com

*Attorneys for Plaintiff Masimo Corporation*

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

MASIMO CORPORATION

Plaintiff,

v.

POLITAN CAPITAL  
MANAGEMENT LP, POLITAN  
CAPITAL MANAGEMENT GP LLC,  
POLITAN CAPITAL PARTNERS GP  
LLC, POLITAN CAPITAL NY LLC,  
POLITAN INTERMEDIATE LTD.,  
POLITAN CAPITAL PARTNERS  
MASTER FUND LP, POLITAN  
CAPITAL PARTNERS LP, POLITAN  
CAPITAL OFFSHORE PARTNERS  
LP, QUENTIN KOFFEY, MICHELLE  
BRENNAN, MATTHEW HALL,  
AARON KAPITO, WILLIAM  
JELLISON, DARLENE SOLOMON,

Defendants.

Civil Action No. 8:24-cv-01568-JVS-JDE

**DECLARATION OF BOB CHAPEK  
IN FURTHER SUPPORT OF  
PLAINTIFF'S MOTION FOR  
PRELIMINARY INJUNCTION**

Hearing Date: September 9, 2024  
Time: 1:30 PM  
Courtroom: 10C  
Honorable James V. Selna

**DECLARATION OF BOB CHAPEK**

I, Bob Chapek, hereby state and declare as follows:

1. I serve on the Board of Directors of Masimo Corporation (“Masimo”). I make this declaration in support of Plaintiff’s Motion for Preliminary Injunction. I have personal knowledge of the facts stated herein, and, if called to testify as a witness, I could and would testify competently thereto.

2. I joined Masimo’s Board of Directors on or around January 15, 2024.

3. From 1993 to 2007, I served in various roles at Walt Disney Home Entertainment Inc., including President, Worldwide from 2000 to 2007.

4. From 2007 to 2022, I served in various roles at the Walt Disney Company. For example, from 2011 to 2015, I served as President, Disney Consumer Products. From 2015 to 2018, I served as Chairman, Walt Disney Parks and Resorts. From 2018 to 2020, I served as Chairman, Parks, Experiences and Consumer Products. And from 2020 to 2022, I served as Chief Executive Officer.

5. In addition to serving in management roles at the Walt Disney Company, I served on the Board of Directors from 2020 to 2022.

6. I first met Quentin Koffey in person in February 2024, at my first Masimo Board meeting. Mr. Koffey has never told me that he (or his firm, Politan) were using “expert networks” to perform diligence on Masimo. Neither Mr. Koffey nor Politan has shared the results of that diligence with me.

7. Mr. Koffey has never told me that his firm has spoken to former Masimo employees, current Masimo customers, or Masimo competitors while Mr. Koffey has served on the Masimo Board.

8. I believe that contacting former employees, customers, and competitors without informing the Masimo Board or senior management is unusual and inappropriate.

1 I declare under penalty of perjury that the foregoing is true and correct and  
2 that this declaration was executed on this 4th day of September in Summerland Key,  
3 Florida.

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5 Bob Chapek